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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/878,991	06/13/2001	Toshihiro Kanematsu	208402US-3DIV	2882

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OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.  
1940 DUKE STREET  
ALEXANDRIA, VA 22314

EXAMINER
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VARGOT, MATHIEU D

ART UNIT	PAPER NUMBER
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1732

DATE MAILED: 12/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

07/878,991

Applicant(s)

KANEMATSU et al.

Examiner

M. VARGOT

Group Art Unit

1732

— The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address —

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

☒ Responsive to communication(s) filed on 6/13/01

☐ This action is FINAL.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

☒ Claim(s) 21-23 + 30-34

is/are pending in the application.

Of the above claim(s)

is/are withdrawn from consideration.

☐ Claim(s)

is/are allowed.

☒ Claim(s) 21-23 + 30-34

is/are rejected.

☐ Claim(s)

is/are objected to.

☐ Claim(s)

are subject to restriction or election requirement

## Application Papers

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).

☒ All ☐ Some\* ☐ None of the:

☐ Certified copies of the priority documents have been received.

☒ Certified copies of the priority documents have been received in Application No. 09/053,050

☐ Copies of the certified copies of the priority documents have been received

in this national stage application from the International Bureau (PCT Rule 17.2(a))

\*Certified copies not received: \_\_\_\_\_

## Attachment(s)

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Reference(s) Cited, PTO-892

☐ Notice of Informal Patent Application, PTO-152

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Other \_\_\_\_\_

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1. Claims 30-34 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 30-34, line 4, "none-transfer" should be changed to --non-transfer--.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 31, 33 and 34 are rejected under 35 U.S.C. 102(b) as being anticipated by the admitted prior art of Prior Art 3 as set forth at pages 3-4 of the instant specification and exemplified by Japanese document 6-304973.

As characterized by applicant, Japanese -973 discloses bringing air into contact with the molten resin at the non-transfer side through a vent hole, such occurring during an interval between the beginning and the end of injecting the resin into the cavity. This prevents the mirror portion from sinking (bottom of page 3) and hence inherently causes the resin pressure to act on the transfer surface to adhere to such surface. The air that is brought in forms a gas layer between at least one non-transfer surface of the resin and the mold and clearly must press on this non-transfer surface.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are

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such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 30 and 32 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over the admitted prior art as disclosed as Prior Art 4 and exemplified by Japanese document 6-31596.

As characterized by applicant, Japanese -596 teaches to keep the transfer surface of a mold (and hence the resin approaching and touching this surface) at a high temperature throughout the injecting process. By "high temperature", it is submitted that applicant means a temperature higher than the temperature of the non-transfer side and hence the claims would be anticipated in that the non-transfer side would be at a temperature lower than the transfer side. In the alternative, if not anticipated, the instant claims are submitted to be obvious over the reference.

4. Claims 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art of Prior Art 3 as set forth at pages 3-4 of the instant specification and exemplified by Japanese document 6-304973.

Japanese -973, as generally discussed in paragraph 2, supra, discloses the basic claimed process lacking at best a disclosure of continuously generating the air pressure even after the pressure of the molding material in the cavity has dropped to zero--ie, after the injection has stopped.

However, the intent of the air pressure is to prevent the mirror portion of the molding from sinking and one of ordinary skill in the art would have recognized that this would remain a problem until the resin has fairly well solidified--ie, certainly after the end of the resin injection.

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Hence, it is submitted that continuously generating the air pressure would have been an obvious modification to Japanese -973 to ensure that the mirror surface does not suffer from sink marks as the resin cools. The exact pressure used would have been obvious dependent on size of article molded.

5. Applicant is requested to provide copies and English language equivalents or abstracts of the admitted prior art as disclosed at pages 2-7 of the instant specification, particularly that art applied against the claims (ie, Japanese documents 6-304973 and 6-31596) if such is readily available.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Vargot whose telephone number is (703) 308-2621.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

M. Vargot

December 7, 2003

*M. Vargot*  
MATHIEU D. VARGOT  
PRIMARY EXAMINER  
GROUP 1300  
12/7/03